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In re Application of
BENTLEY, John David *et al*
Application No.: 09/555,275
PCT No.: PCT/AU98/00998
Int. Filing Date: 27 November 1998
Priority Date: 27 November 1997
Attorney Docket No.: 50179-081
For: METHOD OF DESIGNING AGONISTS
AND ANTAGONISTS TO IGF
RECEPTOR

DECISION ON PAPERS
RESUBMITTED
UNDER 37 CFR 1.42

This decision is in response to applicants' "Response to Decision on Papers Submitted Under 37 CFR 1.42" filed 20 November 2000.

BACKGROUND

On 19 September 2000, a decision dismissing applicants' petition under 37 CFR 1.42 was mailed because the declaration submitted did not properly identify the above-captioned application. Specifically, the declaration originally listed the attorney docket number as "50179-050," but had been altered to "50179-081" and also the title of the application was noted as "Method of Screening" on the declaration while the title of the above-captioned application is "Method of Designing Agonists and Antagonists to IGF Receptor."

On 10 October 2000, applicants filed the instant response which was accompanied by, *inter alia*, an executed declaration and a four-month extension of time request with a fee of \$1,390.00.

DISCUSSION

Here, applicants have furnished a declaration signed by Paul Alexander Tulloch as the "Legal Representative." Applicants have provided the name, citizenship, residence, and post office address of the legal representative. However, applicants have not provided any information on the deceased inventor, Peter Archibald Tulloch, such as his mailing address prior to his death, his residence, and his citizenship. This information is required pursuant to 37 CFR 1.497(a) & (b).

Hence, the declaration again does not comply with 37 CFR 1.497 in that it does

not list all of the original inventors.

CONCLUSION

For the reasons listed above, applicants' renewed petition under 37 CFR 1.42 is **DISMISSED** without prejudice.

Applicants are required to provide an acceptable oath or declaration in compliance with 37 CFR 1.497(a) and (b) within a time limit of **TWO (2) MONTHS** from the mail date of this decision. Failure to comply will result in the abandonment of this application.

Please direct further correspondence with respect to this matter to the Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231, and address the contents of the letter to the attention of the PCT Legal Office.



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